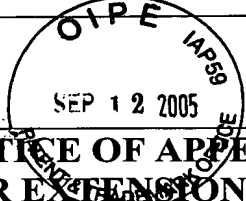


<div style="text-align: center;">  <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> </div>			
<b>NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)</b>			Docket Number <b>13402/5</b>
Application Number <b>09/773,148</b>	Filing Date <b>January 31, 2001</b>	Examiner <b>Frantz B. Jean</b>	Art Unit <b>2151</b>
Title <b>METHOD AND SYSTEM FOR ADAPTIVELY SETTING A DATA REFRESH INTERVAL</b>			Applicant(s) <b>Babak REZVANI et al.</b>

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Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action, mailed on March 07, 2005, that finally rejected claims 1 to 36.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 41.20(b) Notice of Appeal fee, which is believed to be **\$500.00**, to the deposit account number **11-0600** of **Kenyon & Kenyon**.

Applicants hereby request a **three-month extension of time** to respond to the Office Action dated March 07, 2005, which set a **three-month** period for response, or until June 07, 2005. The extended period for response expires on September 07, 2005. Please charge **\$450.00** (the small-entity three-month extension fee of **\$510.00** minus the small-entity one-month extension fee of **\$60.00** already paid) to the deposit account of Kenyon & Kenyon, **Deposit Account 11-0600**. The Commissioner is hereby authorized as appropriate and/or necessary, to charge any additional fees, including any Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon**. A copy of this paper is enclosed for this purpose.

Dated: September 7, 2005

By: Clifford A. Ulrich

Clifford A. Ulrich (Reg. No. 42,194)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
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02 FC:1253 450.00 DA

Date: September 7, 2005

Signature: Chandra Seemaran